THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.24840 of 2006

Dated:05.03.2007

Between:

Smt. Anjilamma.

…PETITIONER

and

The District Collector, Mahaboobnagar District and others.

…RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.24840 of 2006

ORDER:

The petitioner is allegedly owner of land admeasuring Acs.3.10 gts in survey No.1 situated at Kottapalli Village, Maddur Mandal, Mahaboobnagar District. She alleges that Kottapalli Gram Panchayat, third respondent herein, is proposing to construct an overhead water tank in her land in survey No.1 without due process of Law and without initiating any action under the provisions of the Land Acquisition Act, 1894. Therefore, she seeks a direction to the respondents restraining them from making construction in her land.

Today, the learned counsel for the petitioner is absent and there is no representation. Be that as it is, the learned standing counsel for third respondent, after getting instructions, submits that the writ petition is filed on a mere apprehension and that the overhead tank is not being constructed in the land belonging to the petitioner. However, this Court observes that if for any reason, the petitioner is found to be owner of the land which is being used for construction of the overhead tank and there is a likelihood of her land being used for such construction, the respondents have to follow due process of Law.

The writ petition, with the above observations, is accordingly dismissed. No costs.

(V.V.S.RAO, J)

05th March, 2007
ghn